

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, Virginia 22313-1450
www.ispto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO. CONFIRMATION NO.  JAL1100 3640	
10/053,313	01/18/2002	Alex Battaglia		
7590 10/18/2004 Lisa A. Haile, Esq. GRAY CARY WARE & FREIDENRICH LLP			EXAMINER	
			CRIARES, THEODORE J	
4365 Executive Drive Suite 1100 San Diego, CA 92121			ART UNIT	PAPER NUMBER
			1617	

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication		Application No.	Applicant(s)			
		10/053,313	BATTAGLIA, ALEX			
		Examiner	Art Unit			
		Theodore J. Criares	1617			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address –						
<ul> <li>I.          \overline{\text{The amendment filed on } \frac{17 \text{ September 2004}}{2004} \text{ under 37 CFR 1.312 has been considered, and has been:         <ul> <li>a)        \overline{\text{Q}} \text{ entered.}</li> </ul> </li> </ul>						
b) 🗌	entered as directed to matters of form not affecting the scope of the invention.					
c) 🗌	disapproved because the amendment was filed after the payment of the issue fee.  Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.					
d) 🔲	disapproved. See explanation below.					
e) 🗌	entered in part. See explanation below.					
			Type-dore J. Criares Primary Examiner Art Unit: 1617			